

REMARKS

This Amendment is submitted in reply to the Office Action dated July 17, 2006. Applicants respectfully request reconsideration and further examination of the patent application under 37 C.F.R. § 1.111.

Summary of the Examiner's Objections and Rejections

Claims 13-20 and 28-29 were objected to because of various informalities.

Claims 1-20 were rejected under 35 U.S.C. 112 (2nd paragraph) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-2, 6-9 and 11-13 were rejected under 35 U.S.C. 102(b) as being anticipated by Danner (US 1,674,856).

Claims 3 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Danner (US 1,674,856) in view of Aurien (US 2,116,297).

Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Danner (US 1,674,856) in view of Anderson (US 6,196,026).

Claims 14-18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Danner (US 1,674,856) in view of Nobbe (US 1,731,260).

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Danner (US 1,674,856) in view of Nobbe (US 1,731,260) and further in view of Gelstsharp (US 1,934,798).

Summary of Amendment

Applicants have canceled Claims 11 and 21-37 (without prejudice), and amended Claims 1-3, 6-8, 10, 12-14, 16-18 and 20 to more particularly define the present invention.

Applicants have also amended the Specification to correct several grammatical errors. Plus, Applicants have amended the Specification to specifically include the terminology where the outside surface of the forming roller 4a is a smooth outside surface. The support for this amendment to the specification can be found in each of the FIGURES 1-11 (see MPEP 608 which states the drawings are considered part of the specification).

Election/Restriction

Applicants affirm the election with traverse to prosecute Claims 1-20.

Remarks regarding objected Claims 13-20, 28 and 29

Claim 13 was objected because of a formatting error where "18b" was not followed by a ")". Applicants have amended dependent Claim 13 to correct this formatting error and as such respectfully request removal of this objection.

Claim 14 was objected because it contained a grammatical error in the reference to "any one of claims 1". Applicants have amended dependent Claim 14 to correct this grammatical error and as such respectfully request removal of this objection. This amendment should also address the objections to Claims 15-20 and Claims 28 and 29 have been cancelled.

Remarks regarding § 112(second paragraph) rejections

Claims 1 and 19 were rejected under § 112 (2nd paragraph) because they recited a limitation "said sheet of glass" which lacks the proper antecedent basis. Applicants have amended Claims 1 and 19 to correct this antecedent error. Accordingly, Applicants respectfully request removal of this rejection.

Claim 2 was rejected under § 112 (2nd paragraph) because the recited limitation "said device or mechanism" lacks the proper antecedent basis. Applicants have amended independent Claim 1 to correct this antecedent error. Accordingly, Applicants respectfully request removal of this rejection.

Claims 3, 14 and 17 were rejected under § 112 (2nd paragraph) because they recited the limitation "the sheet of glass" which lacks the proper antecedent basis. Applicants have amended independent Claim 1 to correct this antecedent error. Accordingly, Applicants respectfully request removal of this rejection.

Claim 10 was rejected under § 112 (2nd paragraph) because the recited limitation "said guidance" lacks the proper antecedent basis. Applicants have amended independent Claim 10 to change "said guidance" to --said controlling-- to correct this antecedent error. Accordingly, Applicants respectfully request removal of this rejection.

Claim 20 was rejected under § 112 (2nd paragraph) because the recited limitation "said two sheets of glass" lacks the proper antecedent basis. Applicants have amended Claim 20 to change "said two sheets of glass" to --said two streams of glass-- to correct this antecedent error. Accordingly, Applicants respectfully request removal of this rejection.

Claims 6 and 7 were rejected under § 112 (2nd paragraph) because of the use of the term "height". Applicants have amended Claims 6 and 7 to change the term "height" to --distance--. Accordingly, Applicants respectfully request removal of this rejection.

Claim 8 was rejected under § 112 (2nd paragraph) because of the use of the terminology "its surface temperature" did not provide sufficient indication regarding upon which of said two surfaces (s1 or s2) the applicant intends to control said temperature. Applicants have amended Claim 8 to read "controlling a

surface temperature of the substantially smooth surface of said roller (4a)". Accordingly, Applicants respectfully request removal of this rejection.

Remarks regarding § 102(b) and § 103(a) rejections

Applicants respectfully submit that amended independent Claim 1 is patentable over Danner. The amended independent Claim 1 recites the following:

1. A method of producing sheets of glass having two faces (F_1, F_2) with at least one of said faces (F_1) presenting a high surface quality, the method comprising:
 - a) delivering a stream of glass (1a), said stream of glass (1a) having a first and second face (s_1, s_2), each face is free from making contact with any surface and thus possibly being destabilized mechanically;
 - b) treating said delivered stream of glass (1a) prior to destabilization by putting a first face (s_2) into contact with a substantially smooth surface of a treatment device or mechanism (4a) suitable, temporarily, to support the weight of said glass and for accompanying the falling movement of said glass while increasing glass viscosity and maintaining at least a central strip of said second face (s_1) free from any contact with any surface;
 - c) using a device or mechanism (7, 8) for controlling glass travel speed to act on the treated stream (1a') at a suitable distance downstream to produce a sheet of glass; and
 - d) cooling said sheet of glass (emphasis on main distinguishing limitation).

The teaching of Danner does not teach a treatment device or mechanism that has a substantially smooth surface as recited in amended independent Claim 1. Instead, Danner teaches a method and apparatus for forming figured glassware wherein a glass sheet b is deflected by an impression roll 10 and while being deflected by the impression roll 10 the glass sheet b is still in a soft condition so it can be pressed against and take the impression of the roll 10. The glass sheet b is pressed against the impression roll 100 with the aid of an air blast directed from an air blast nozzle 14 which is located on the other side of the glass sheet b which is being impressed (see page 2, line 62-72 and FIGURES 1 and 4). Thus, the present invention's treatment device or mechanism (4a) which has a substantially smooth surface is not the same as Danner's impression roll 10 which does not have a smooth surface but instead has an impression/configuration which is imparted to the glass sheet b. Accordingly, Applicants respectfully submit that Danner does not disclose the amended independent Claim 1 and its associated dependent Claims 2-10 and 12-20.

In the event, the Examiner contends that it would have been obvious to modify Danner to use a smooth roll 10 instead of an impression roll 10. Then, the Applicants respectfully submit that such a modification would be based on the improper use of hindsight. In particular, Applicants respectfully submit that Danner can not be modified to teach the claimed system. Because, Danner's purpose is to impart an impression onto one side of the glass sheet b and to do this an impression roll 10 is needed. If Danner's

apparatus was modified to use a smooth roll instead of the recited impression roll 10, then such a change to Danner's apparatus would render it unsatisfactory for its intended purpose which is to form a figured glass sheet. The MPEP 2143.01 states that if this type of situation occurs then there would be no suggestion or motivation to make the proposed modification to the prior art.

Referring to amended dependent Claim 2, Applicants respectfully submits that Danner does not disclose the new limitation to Claim 2 which recites where the step of guiding further includes "using one or more porous walls (5) that emit a gas towards at least one of the faces (s1, s2) of said treated stream of glass (1a') to guide the treated stream of glass (1a') towards the device or mechanism (7, 8), wherein the guidance is provided while ensuring that at least said central strip of said second face (s1) of said treated stream of glass (1a') continues to be kept free from contact with any surface" (e.g., see the porous walls 5 illustrated in FIGURES 2, 3, 6, 7 and 11). As can be seen, Danner does not teach the use of one or more porous walls as claimed in the present invention. Plus, Aurien, Anderson, Nobbe and/or Gelstsharp do not cure this defect. Accordingly, Applicants respectfully request removal of this rejection and allowance of the amended dependent Claim 2.

Referring to amended dependent Claim 8, Applicants respectfully submits that Danner does not disclose the limitation to Claim 8 which recites where "said roller (4a) being associated with a device or mechanism (9a) within which there is a cooling fluid for controlling a surface temperature of the substantially smooth surface of said roller (4a) and thus the temperature of the stream of glass (1a) in contact therewith, said roller (4a) being disposed and driven appropriately to ensure that said contact that is maintained cools the stream of glass (1a) sufficiently to obtain the desired increase in viscosity". As can be seen, Danner does not teach the use of a roller (4a) associated with a device or mechanism (9a) that has cooling fluid located therein to control the surface temperature of the roller (4a). Instead, Danner teaches where an air blast nozzle 14 is used to direct an air blast towards the impression roll 10 (see FIGURES 1 and 4 in Danner). Aurien, Anderson, Nobbe and/or Gelstsharp do not cure this defect. Moreover, Applicants respectfully submit that Danner and Nobbe can not be combined to teach the amended dependent Claim 8 because Danner requires the use of an impression roll 10 (see Applicants discussion above with respect to the amended independent Claim 1). Accordingly, Applicants respectfully request removal of this rejection and allowance of the amended dependent Claim 8.

Referring to amended dependent Claim 12, Applicants respectfully submits that Danner does not disclose the limitation to Claim 12 which recites where the step of guiding further includes "using margin rollers or wheels (17a, 17b) to guide said treated stream of glass (1a') towards said device or mechanism (7, 8), wherein said guidance is provided while ensuring that at least said central strip of said second face (s1) of said

treated stream of glass (1'a) continues to be kept free from contact with any surface (e.g., see the margin rollers 17a, 17b, 18a and 18b illustrated in FIGURES 8 and 10). As can be seen, Danner does not teach the use of margin rollers that contact only the margins of a glass sheet as claimed in the present invention. Instead, Danner teaches the use of rolls 23 which appear to act on the entire surface area of glass sheet b to either support or feed the glass sheet b onto a deflecting table 25 (see page 3, lines 5-11 and FIGURE 5 in Danner). Aurien, Anderson, Nobbe and/or Gelstharp do not cure this defect. Accordingly, Applicants respectfully request removal of this rejection and allowance of the amended dependent Claim 12.

Conclusion

Applicants respectfully submit that all of the stated grounds of objections and rejections have been properly traversed, accommodated, or rendered moot. Accordingly, Applicant respectfully requests reconsideration of all outstanding objections and rejections and allowance of the pending Claims 1-10 and 12-20.

A credit card has been used to pay \$120 to cover the fee for a one-month extension of time. If this is incorrect, the Commissioner is authorized to charge any fees which may be required for this paper to Deposit Account No. 50-1481.

Respectfully submitted,

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